

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

CAREN EHRET,

No. C-14-0113 EMC

Plaintiff,

v.

**ORDER GRANTING PLAINTIFF'S  
MOTION FOR LEAVE TO FILE  
AMENDED COMPLAINT; AND  
DENYING AS MOOT DEFENDANT'S  
MOTION TO DISMISS**

UBER TECHNOLOGIES, INC.,

Defendant.

(Docket Nos. 14, 28)

Plaintiff, Caren Ehret, filed a class-action complaint against Uber Technologies, Inc. ("Uber"), alleging unfair, unlawful and fraudulent business practices. On March 11, 2014, Uber filed a motion to dismiss the complaint, currently scheduled for hearing on April 18, 2014. On April 2, 2014, Plaintiff filed a motion for leave to file an amended complaint, together with an amended complaint. Under Federal Rules of Civil Procedure 15, Plaintiff could have amended her complaint as a matter of course within 21 days after service of Uber's motion to dismiss. This would have been April 1, 2014.

Although the amended complaint was filed one day late, the Court grants dispensation and deems the amended complaint filed as of April 2, 2014. Uber's motion to dismiss is therefore denied as moot. Hearing for the motion to dismiss on April 18, 2014 is vacated. The case

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1 management conference currently scheduled for April 18, 2014 is continued to June 12, 2014. If  
2 Uber moves to dismiss the amended complaint, the CMC will be held on the date of the hearing on  
3 such motion. The CMC and Motion to Reconsider in the related case, *O'Connor v. Uber*, are set for  
4 April 18, 2014.

5 This order disposes of Docket Nos. 14 and 28.

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7 IT IS SO ORDERED.

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9 Dated: April 9, 2014

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12 EDWARD M. CHEN  
13 United States District Judge  
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